



## Austin City Council MINUTES

MARCH 10, 1994 - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the presence of all of the Council.

### MINUTES APPROVED

1. Approval of Minutes for Regular Meetings of February 10, and 17, 1994 and March 3, 1994 and Special Meeting of March 3, 1994 (10:00 a.m.)

Approval with correction on page 9, item 46 on February 17, 1994 vote should read 6-0 on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 6-0 vote on all but February 17, 1994. Vote for February 17, 1994 was 5-0-1, Councilmember Goodman Abstaining.

### 1:30 P.M. - SUBORDINATE LIEN REVENUE BONDS

2. Approve an ordinance authorizing the issuance and sale of the City of Austin, Texas, Subordinate Lien Revenue Bonds, in the amount of \$3,500,000 including the authorization to execute a Paying Agent/Registrar Agreement with Texas Commerce Trust Company, NA, Austin, Texas, for the City of Austin, Texas, Subordinate Lien Revenue Bonds, Series 1994. (Funding from State Revolving Fund. Debt Service requirement payments in future years from Water and Wastewater Utility service revenues.) [Recommended by Water and Wastewater Commission] (Related to Item 10)

### ORDINANCES

3. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2234 East Ben White Boulevard, Case No. C14-93-0108, from "GR", Community Commercial to "CS-1-CO", Commercial Services-Liquor Sales-Conditional Overlay, S.B.D. PARTNERSHIP, by Davis & Associates Property Management (Michael Berke). First reading on October 21, 1993; Vote 6-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.
4. Authorize acceptance of \$192,711 in grant funds from the U.S. Justice Department, Bureau of Justice Assistance for the design, demonstration, and assessment of a comprehensive, department-wide community policing prototype; amend Ordinance No. 930915-A, the 1993-94 Operating Budget, amending the Special Revenue Fund by increasing appropriations by \$192,711 for the Police Department.

### Health and Human Services (Items 5-8)

5. Authorize acceptance of an additional \$229,408 in grant funds from the Texas Department of Health for the Immunization Outreach Program; amend Ordinance No. 930915-A, the 1993-94 Operating Budget, amending the Special Revenue Fund by appropriating an additional \$114,704 for the period of September 1, 1993 to August 31, 1994 (total \$205,536), and an additional \$114,704 for the period September 1, 1994 to August 31, 1995 (total \$205,536) for the Health and Human Services Department Special Revenue Fund; and authorizing three (3) additional grant funded Full Time Equivalent (FTE) positions.
6. Authorize acceptance of \$66,767 in grant funds from the Texas Department of Health, Bureau of Women, Infants, and Children's (WIC) Nutrition; amend Ordinance No. 930915-A, the 1993-94 Operating Budget, amending the Special Revenue Fund by appropriating \$66,767 in grant funds for the Health and Human Services Department special revenue fund; and authorizing four (4) grant funded Full Time Equivalent (FTE) positions.
7. Authorize acceptance of \$80,624 in grant funds from the Texas Department of Health, Bureau of Women, Infants, and Children's Nutrition, to expand the Mom's Place Lactation Center Project; amend Ordinance 930915-A, the 1993-1994 Operating Budget, amending the Special Revenue Fund by appropriating \$80,624 in grant funds for the Health & Human Services Department Special Revenue Fund; and authorizing one (1) additional grant funded Full Time Equivalent (FTE) position.
8. Authorize acceptance of an additional \$231,392 in grant funds from the Texas Department of Health for the Women, Infants and Children's Nutrition Program (WIC); amend Ordinance No. 930915-A, the 1993-94 Operating Budget, amending the Special Revenue Fund by appropriating an additional \$231,392 in additional grant funds for the Health and Human Services Department Special Revenue Fund for a total grant amount of \$1,531,685; and authorizing five (5) additional grant funded Full Time Equivalent (FTE) positions.

### RESOLUTIONS

9. Approve a five (5) year lease with Quail Creek Professional Ltd. for the lease of approximately 3,926 square feet of space located at 9411 Parkfield, for use by the Health and Human Services Department for the Women, Infants, Children (WIC) Nutrition program, in the amount of \$225,744.96 over five years, and an additional finish-out construction amount of \$31,747. (Funding in the amount of \$31,747 is available in the Health & Human Services Department Disproportionate Share Fund; funding in the amount of \$20,611.50 is available in the 1993-94 Health & Human Services Department Special Revenue Fund for the WIC program; funding for future years is contingent upon availability of funding in future WIC grant programs.)
10. Approve a construction contract award to OSCAR RENDA CONTRACTING, INC., Roanoke, Texas, for the construction of the West Bouldin Creek Relief Interceptor-Phase A in the amount of \$3,045,542. (Funding provided by State Revolving Fund through the Texas Water Development Board; funding in the amount of \$2,625,000 was included

in the 1991-92 Capital Budget of the Water and Wastewater Utility, \$420,542 was included in the 1992-93 Capital Budget of the Water and Wastewater Utility.) Low bid of six (6). 10.50% MBE, 4.98% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission) [Related to Item 2]

Councilmember Garcia read into the record the following from Water and Wastewater Commission: "if Council does award to Oscar Renda Contracting, the Commission requests that any and all change orders on this item and any other item that Oscar Renda Contracting is involved in that involves the City of Austin be brought before the Water and Wastewater Commission.

11. Approve Change Order #3 to EDWARD R. COLEMAN CONSTRUCTION CO., Austin, Texas, for drainage improvements, as part of the Little Walnut Creek Drainage Improvements, Phase I, from Georgian Drive to Lamar Boulevard in the amount of \$87,740 for a total contract amount of \$733,950. (Funding in the amount of \$26,000 was included in the 1991-92 Capital Budget of the Water and Wastewater Utility; \$61,740 was included in the 1991-92 Capital Budget of the Department of Public Works and Transportation.) 5.7% MBE, 1.95% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
12. Approve a construction contract award to CHEROKEE CONSTRUCTION (MBE), Austin, Texas, for storm drainage improvements to reduce flooding to four (4) homes located on Woodview, Harris Blvd., Deer Track and Merrie Lynn, in the amount of \$134,935. [Funding in the amount of \$20,170 was included in the 1992-93 Capital Budget of the Department of Public Works and Transportation (Boggy Creek Improvements); \$26,820 was included in the 1993-94 Capital Budget of the Drainage Utility (Walnut Creek Improvements); \$35,000 was included in the 1992-93 Capital Budget of the Drainage Utility; \$43,095 was included in the 1993-94 Capital Budget of the Department of Public Works & Transportation (Little Walnut Creek & Other Creeks, Flood and Erosion Improvements); \$9,850 was included in the 1991-92 Capital Budget of the Water and Wastewater Utility (Water and Wastewater Flood Control Project)]. Low bid of four (4). 10.01% MBE, 6.44% WBE Subcontractor participation. (Reviewed by Environmental Board; Recommended by Water and Wastewater Commission)
13. Approve a construction contract award to AUSTIN FILTER SYSTEMS, Austin, Texas, for construction of gabion retaining wall and gabion mattresses along Langston Drive as part of the Little Walnut Creek Erosion Control Phase IV, in the amount of \$686,310. (Funding was included in the 1993-94 Capital Budget of the Drainage Utility.) Low bid of five (5). 4.46% MBE, 12.44% WBE Subcontractor participation. (Reviewed by Environmental Board)
14. Approve a construction contract award to KEYSTONE CONSTRUCTION, INC., Austin, Texas, for construction of a wastewater pipe and small lift station along Red Bud Trail to provide wastewater service to the University of Texas' Stratford Tract, in the amount of \$561,794. (Funding in the amount of \$280,897 was included in the 1992-93 Capital Budget of the Water and Wastewater Utility; \$280,897 was included in the 1993-94 Capital Budget of the Water and Wastewater Utility.) Low bid of four (4). 10.14% MBE, 5.16% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

15. Approve execution of a twelve (12) month supply agreement with UNITED STATES PIPE & FOUNDRY COMPANY, Austin, Texas, for the purchase of approximately 56,780 feet of ductile iron pipe of various sizes for the Water and Wastewater Utility, in an amount not to exceed \$433,430.80, with two (2) twelve (12) month extension options in an amount not to exceed \$433,430.80 per extension, for a total amount not to exceed \$1,300,292.40. [Funding for an estimated \$216,715.40 is available in the 1993-94 operating budget of the Water and Wastewater Utility; funding for the final six (6) months of the original contract period and the extension options is contingent upon availability of funding in future budgets.] Low bid of three (3). No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)
16. Approve execution of a twelve (12) month supply agreement with THE ROHAN COMPANY, Austin, Texas, for the purchase of approximately 30,020 feet of polyethylene vinyl chloride (PVC) sewer pipe of various sizes for the Water and Wastewater Utility in an amount not to exceed \$70,138.40, with the option to extend for two (2) twelve (12) month periods in an amount not to exceed \$70,138.40 per extension, for a total amount not to exceed \$210,415.20. [Funding for an estimated \$35,069.20 is available in the 1993-94 operating budget for the Water and Wastewater Utility; funding for the final six (6) months of the original contract period and the extension options is contingent upon availability of funding in future budgets.] Low bid of four (4). No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)
17. Approve the negotiation and execution of a contract with ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE (ESRI), Redlands, California, for the purchase of a Geographic Information System (GIS) to upgrade and enhance the existing automated mapping program of the Water and Wastewater Utility, in an amount not to exceed \$400,000. (Funding was included in the 1993-94 Capital Budget for Water and Wastewater Utility.) Best proposal of three (3). 30% MBE, 0% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
18. Approve the selection of RODRIGUEZ ENGINEERING CONSULTING (MBE), Austin, Texas, and TRINITY ENGINEERING TESTING CORPORATION, Austin, Texas, for negotiation and execution of a contract to provide for asphalt/concrete testing of streets, buildings, parking lots, and subdivisions, in the amount of \$262,500 per firm for a total amount of \$525,000. (Funding was included in the 1993-94 Capital Budget of the Department of Public Works and Transportation.) Best qualification statement of six (6). M/WBE Subconsultant participation: Rodriguez Engineering Consulting: (19.04% MBE, 6.66% WBE); Trinity Engineering Testing Corp.: (26.66% MBE, 13.33% WBE).
19. Approve the selection of RABA-KISTNER-BRYTEST, Austin Texas, LAW ENGINEERING, Austin, Texas, and MAXIM ENGINEERS, Austin, Texas for negotiation and execution of a rotation list contract to provide asbestos related building inspections and assessments, air monitoring, and on-site supervision of abatement projects, in the amount of \$100,000 per firm, for a total contract amount of \$300,000. (Funding was included in the 1993-94 Capital Budget of the Department of Public Works and Transportation.) Best qualification statements of eight (8). M/WBE Subconsultant Participation: Raba-Kistner-Brytest: (10% MBE, 5% WBE); Maxim Engineers: (10% MBE, 10% WBE); Law Engineering: (10% MBE, 5% WBE). (Related to Item 20)

20. Approve the selection of OMNI ENVIRONMENTAL, INC., Austin, Texas, and JIMMIE ANN BOLTON (WBE) Pflugerville, Texas for negotiation and execution of a contract to provide laboratory analysis of asbestos samples taken from various City facilities in the amount of \$60,000 per firm, for a total amount of \$120,000. (Funding was included in the 1993-94 Capital Budget of the Department of Public Works and Transportation.) Best qualification statement of two (2). M/WBE Subconsultant Participation: Omni Environmental, Inc.: (0% M/WBE); Jimmie Ann Bolton: (0% MBE, 5% WBE.) [Related to Item 19]
21. Approve a construction contract award to COR CONSTRUCTION CO., INC., San Antonio, Texas, for street and sidewalk improvements along Samuel Huston Avenue, in the amount of \$99,673. [Funding was included in the 1992-93 amended Capital Budget for the Public Works and Transportation Department through the Capital Metro Transportation Mobility Fund (PTMF)]. Low bid of nine (9). 12.77% MBE, 7.88% WBE Subcontractor participation.
22. Approve an Interlocal Agreement with the Texas Department of Transportation for the reimbursement of funds to the City of Austin for upgrade of additional Emergency Vehicle Pre-emption equipment on Ben White Blvd., which will be used to improve response time by allowing emergency vehicles to cause traffic signals to change to green, in the amount of \$1,275. (The Texas Department of Transportation will reimburse the Department of Public Works & Transportation for Emergency Vehicle Pre-emption equipment furnished by the City.)
23. Approve a maintenance agreement with the Texas Department of Transportation for the operation and maintenance of the traffic signal at FM 734 (Parmer Lane) and Lamplight Village Avenue. (Funding in the amount of \$1,000 for operation and maintenance is available in the 1993-94 operating budget of the Department of Public Works and Transportation.)
24. Approve a maintenance agreement with the Texas Department of Transportation for operation and maintenance of the traffic signal at Loop 1 and Capital of Texas Highway. (Funding in the amount of \$1,000 for operation and maintenance is available in the 1993-94 operating budget of Department of Public Works & Transportation.)
25. Inform the U.S. Environmental Protection Agency of the Council's review and approval of the Municipal Water Pollution Prevention Environment Audit Reports for the City's wastewater treatment plants. (Recommended by Water and Wastewater Commission)
26. Approve an amendment to a twelve (12) month supply agreement with PAGENET, Austin, Texas, to include the Fire Department in the rental of pocket pagers, in the amount of \$6,574, for a revised contract amount not to exceed \$40,131, with an option to extend the agreement for two (2) additional twelve (12) month periods in an amount not to exceed \$40,131 per extension, for a total contract amount not to exceed \$120,393. (Funding in the amount of \$26,754 is available in the 1993-94 operating budgets of various City departments; funding for the remaining \$13,377 of the contract period and extension options will be contingent upon availability of funding in future budgets.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified.

27. Approve execution of a twelve (12) month supply agreement with GENIE CAR WASHES, Salado, Texas, for the purchase of vehicle washing services for sedans, light and medium size trucks and vans, in an amount not to exceed \$58,700, with the option to extend the agreement for two (2) additional (12) month periods in an amount of \$58,700 per extension, for a total amount not to exceed \$176,100. (Funding in the amount of \$29,350 is available in the 1993-94 operating budget of the Fleet and Radio Fund; funding for the remaining \$29,350 of the contract period and the extension options will be contingent upon availability of funding in future budgets.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified.
28. Approve execution of a contract with WALLTECH, Austin, Texas, for the purchase and installation of refurbished modular furniture and the reconfiguration of existing modular furniture for the Department of Planning and Development, in an amount not to exceed \$56,738. (Funding is available in the 1993-94 operating budget for the Planning and Development Department.) Single bid. No M/WBE Subcontracting opportunities were identified.
29. Approve ratification of a contract with LEIF JOHNSON FORD, INC., Austin, Texas, for the purchase of sixty-five (65) pursuit sedans and two (2) vans for use by the Police Department, in an amount not to exceed \$936,545. (Funding in the amount of \$696,549 is available in the 1993-94 Fleet Acquisition Fund; \$212,246 is available in the 1993-94 operating budget of the Police Department; \$27,750 is available in the 1993-94 operating budget of the Aviation Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.
30. Approve the filing of eminent domain proceedings to acquire fee simple title out of a parcel of land containing 1,024 square feet of land and a temporary construction easement containing 1,789 square feet of land out of Lot 7, Block B, Quail Creek Phase Two, Section Five in Austin, Travis County, Texas owned by Fred W. and Maria V. Powers for the Transportation System Management Rutland at Parkfield Project. (Appraised value is \$11,898.)
31. Approve an Interlocal Memorandum of Agreement for the Opportunities for Youth Partnership Audit with Travis County, Austin Independent School District, and State agencies on child abuse, dropout and youth crime issues. (No fiscal impact.)
32. Set a public hearing to gather citizen input on a proposed amendment to the Building Code (subsection 504.2.1.3 of Appendix Chapter 53) governing the energy efficiency of water heaters in apartments and single family dwellings by banning the use of electric water heating as the primary source for hot water in new single and multi-family dwellings larger than 500 sq. ft. (Suggested date and time: March 17, 1994 at 4:30 p.m.)  
  
Approve April 7, 1994 at 5:00 p.m.
33. Set a public hearing to review Austin CableVision's basic service rate and related equipment installation charges. (Suggested date and time: March 24, 1994 at 5:00 p.m.)

34. Set a public hearing on a proposed amendment to the Land Development Code, Section 13-2-2, revising the definition of "Condominium Residential," to allow detached condominiums. (Suggested date and time: April 7, 1994, at 5:30 p.m.)

Item 2-34 approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 6-0 vote.

#### ITEMS FROM COUNCIL

35. Approve a Resolution directing the City Manager to make appropriate plans to begin a continuous, ongoing trash clean up patrol on the waters and along shore of Town Lake. (Mayor Pro Tem Michael "Max" Nofziger and Councilmember Gus Garcia)

Approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 6-0 vote.

36. Approve a Resolution in support of Project Re-Enterprise. (Mayor Pro Tem Michael "Max" Nofziger)

Approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 6-0 vote.

#### 4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

37. C14-84-0019 - AUSTIN CHURCH ON THE ROCK, INC., AND SOUTHWEST JOINT VENTURE (Dwight Davis), by Conley Engineering (Carl Conley), 2100 block of Walsh Tarlton Lane. From I-SF-2 to SF-2. Planning Commission Recommendation: To grant SF-2-CO, Single Family Residence (standard lot) Conditional Overlay subject to prohibition of access to Walsh Tarlton Lane from the subject tract, and subject to compliance with the Integrated Pest Management Program.

Councilmember Goodman made a motion to close Public Hearing and move on 3 readings approval of the Planning Commission Recommendation and wants included in the conditional overlay that Lot 2, Hill Country addition comply with the water quality provisions of the SOS ordinance as defined in Chapter 13-7, Article 1, Division 5 of the Land Development Code. Councilmember Reynolds' second, 6-0 vote.

#### PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

38. 5:00 P.M. - Public Hearing to consider adopting a Campaign Finance Reform Ordinance. (Councilmembers Brigid Shea and Gus Garcia)

Close public hearing on Councilmember Shea's motion, Councilmember Garcia's second, 6-0 vote.

## EXECUTIVE SESSION

The Executive Session was held on the morning of this date.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters as specifically listed on the meeting agenda. Council would take any subsequent action in the open meeting as listed on the agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item listed on this agenda.

39. Discuss claims filed by Walker Tire Company, Javelina Construction and JRC Trucking relating to contracts for goods and services.

## ACTION ON THE FOLLOWING

40. Approve settlement of claims filed by Walker Tire Company.  
Approve an amount of \$46,883.59
41. Approve settlement of claims filed by Javelina Construction.  
Approve an amount of \$57,312.03
42. Approve settlement of claims filed by JRC Trucking.  
Approve an amount of \$42,000.00

Item 40-42 approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 6-0 vote.

## 43. APPOINTMENTS

CABLE COMMISSION - Allen Seale, Rudy Colmenero, Sharon Collins  
CHILD CARE COUNCIL - Jill McRae, Suzanne Plyer, Cheryl Sawyers, Debra Keith-Clinton, Timy Baranoff, Lila Carl  
COMMUNITY DEVELOPMENT COMMISSION - Hilbert Maldonado, Judy Baker, LaSalle Barnett  
EMS QUALITY ASSURANCE TEAM - Dr. Roy Leamon  
FEDERALLY QUALIFIED HEALTH CENTER BOARD - Alice Merida  
MECHANICAL, SOLAR & PLUMBING BOARD - Patrick Usener, Thomas Alexander  
MINORITY & WOMEN-OWNED BUSINESS PROCUREMENT ADVISORY BOARD - Camille Harmon, James Harper, Jose Gil, Ron Yam  
MUSIC COMMISSION - David Noriega, Carlyne Majewski-Majers, French Smith  
RESOURCE MANAGEMENT COMMISSION - Stuart Garner  
URBAN TRANSPORTATION - Joneth Wyatt, Issac Trevino, Jr.

**ADJOURN** at 6:50 p.m. on Councilmember Reynolds' motion, Councilmember Goodman's second, 6-0 vote.

The Council recessed from 1:20 until 1:25 p.m. on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote.

The Council recessed from 2:05 until 4:55 p.m. on Councilmember Reynolds' motion, Mayor Pro Tem Nofziger's second, 6-0 vote.

APPROVED ON THE 17th DAY OF March, 1994.

Approved on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote.

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